

Practitioner's Docket No. 0136.00

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Receptacle for an Aerosolizable Pharmaceutical Formulation

SPECIFICATION IDENTIFICATION

The specification was filed on December 5, 2003, as Serial No. 10/729,832.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

60/437,254

FILING DATE

December 31, 2002

Declaration and Power of Attorney--page 1 of 2

SEND CORRESPONDENCE TO

Guy V. Tucker
150 Industrial Road

San Carlos, CA 94070
21968

DIRECT TELEPHONE CALLS TO:

Guy V. Tucker
650-620-5501

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

William W. Alston

Inventor's signature

Date 7 Jan 04

Residence San Jose, CA

Post Office Address 2336 Westmoreland Drive, San Jose, CA 95124

Country of Citizenship USA

Marc S. Gordon

Inventor's signature

Date _____

Residence Sunnyvale, CA

Post Office Address 1474 Samedra Street, Sunnyvale, CA 94087

Country of Citizenship USA

Declaration and Power of Attorney--page 2 of 2

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Date _____

Country of Citizenship USA

Residence San Jose, CA

Post Office Address 2336 Westmoreland Drive, San Jose, CA 95124

Marc S. Gordon

Inventor's signature Marc S. Gordon

Date 1/10/04

Country of Citizenship USA

Residence Sunnyvale, CA

Post Office Address 1474 Sarnedra Street, Sunnyvale, CA 94087

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